

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43665 of 2016

Arising Out of Complaint Case No. -1066 Year- 2015 Thana -BEGUSARAI COMPLAINT CSAE
District- BEGUSARAI

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1. Ram Jatan Paswan @ Ram Yatan Paswan, Son of Narayan Paswan
 2. Rekha Devi, W/o Ram Jatan Paswan
 3. Soni Kumari@Soni Devi, W/o Mohit Paswan

All are Residents of Vill- Sankh Navtolia, P.S. Mufassil, District Begusarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Suman Devi, W/o Shri Mohit Paswan, D/o Shri Rajender Paswan,
Resident of Village Sakh Nawtoliya, P.S. Muffasil, District Begusarai.
At Present Village- Santa, P.S. New Kothi, District Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kapil Deo Singh, Advocate
For the State : Mr. Sri Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 09-05-2017 Heard learned counsels for the petitioners and the complainant as well as learned APP for the State.

Petitioner nos. 1 and 2 being the parents and petitioner no.3 being second wife of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 494 of the Indian Penal Code and Section 4 of the Dowry Prohibition



Act.

The accusation is of torture for non-fulfillment of the dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioners that petitioner nos. 1 and 2 are own parents of the husband of the complainant and the thrust of accusation is against the husband of the complainant. Petitioner no.3 was not aware about the first marriage of the husband of the complainant and there is no specific accusation against the petitioners of inflicting torture. Moreover, the offence under section 494 of the Indian Penal Code is made out only against the husband of the complainant.

Learned counsel for the complainant submits that the complainant has been tortured by the entire in-laws family including her husband and she is so scared due to the conduct of the petitioners and her husband that she is not willing to go to the matrimonial house.

Considering the fact that the thrust of accusation is against the husband of the complainant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned SDJM, Begusarai, in connection with
Complaint Case No.1066C/15, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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